

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

BOSTON REDEVELOPMENT AUTHORITY

ORDER OF TAKING

WHEREAS, the Boston Redevelopment Authority, a public body politic and corporate, duly organized and existing pursuant to the provisions of the Housing Authority Law of the Commonwealth of Massachusetts (appearing in Massachusetts General Laws (Ter.Ed.) Chapter 121, as amended) and having its principal office in Boston, Suffolk County, Massachusetts, in pursuance of its powers as set out in said Housing Authority Law and every other power thereunto enabling determined that the area or areas hereinafter described within the City of Boston constitute a substandard and decadent area as defined in Section 26J of the Housing Authority Law, and further determined in accordance with Sections 26KK and 26ZZ of said Law and all other powers granted by said Chapter 121 that a project for the assembly and renewal of said area, hereinafter called the "Fenway Urban Renewal Project Area" described in "Annex A", ought to be undertaken in said City; and

WHEREAS, on November 24, 1965, the Redevelopment Authority approved and adopted an Urban Renewal Plan, as defined in said section 121, for the renewal of said area, said plan being entitled, "Fenway Urban Renewal Plan"; and

WHEREAS, the Authority acting as the Planning Board of said City the City Council of said City, and the Massachusetts Department of Commerce and Development, Division of Urban Renewal, have severally approved said Renewal Plan and project and made appropriate findings in connection therewith, all in accordance with the provisions of law; and

WHEREAS, the City of Boston and said Redevelopment Authority have entered into an agreement, dated April 15, 1966, and entitled,

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WHEREAS, on November 24, 1965, the Redevelopment Authority approved and adopted an Urban Renewal Plan, as defined in said section 121, for the renewal of said area, said plan being entitled, "Fenway Urban Renewal Plan"; and

WHEREAS, the Authority acting as the Planning Board of said City the City Council of said City, and the Massachusetts Department of Commerce and Development, Division of Urban Renewal, have severally approved said Renewal Plan and project and made appropriate findings in connection therewith, all in accordance with the provisions of law; and

WHEREAS, the City of Boston and said Redevelopment Authority have entered into an agreement, dated April 15, 1966, and entitled,

"Cooperation Agreement," providing among other things for a contribution by said City in connection with the carrying out and completion of said Urban Renewal Plan; and

WHEREAS, on November 2, 1967, the said Redevelopment Authority accepted an offer of a Loan and Grant Contract from the Department of Housing and Urban Development and determined to enter into said contract; and

WHEREAS, the Redevelopment Authority has determined that the taking in fee simple by eminent domain of a portion of the Fenway Urban Renewal Area, which portion is hereinafter described in "Annex B" attached hereto and made a part hereof, is necessary and reasonably required to carry out the purposes of the Housing Authority Law and the proposed Fenway Urban Renewal Project Area; and

WHEREAS, the Redevelopment Authority in accordance with the provisions of Section 26P, sub-paragraph (b), of said Housing Authority Law has deposited with the Mayor of the City of Boston security to his satisfaction for the payment of such damages as may be awarded in accordance with law to the owner or owners of said area, as required by General Laws (Ter.Ed.) Chapter 79, section 40;

NOW, THEREFORE, BE IT ORDERED that the Boston Redevelopment Authority, acting under the provisions of the Housing Authority Law and without limiting the generality of the foregoing, of section 26P, of General Laws (Ter.Ed.) Chapter 121, and all other authority thereunto enabling, and pursuant to the applicable provisions of General Laws (Ter.Ed.) Chapter 79, and of any and every power and authority to it, granted or implied hereby takes for itself in fee simple by eminent domain for the purposes hereinbefore set forth, the area or areas located in the City of Boston as hereinafter described in "Annex B" including all parcels of land therein, together with any and all easements and rights appurtenant hereto, including the trees, buildings and other structures standing upon or affixed thereot, and including the fee, if any, in all public streets, highways and public ways in said area or

areas or contiguous and adjacent to the property, except any and all easements of travel in and to any and all public streets, highways and public ways in said area or areas or contiguous and adjacent thereto, and except such parcels, easements or areas as are expressly excluded, said area or areas and the exceptions therefrom being bounded and described in "Annex B" attached hereto and made a part hereof as though incorporated herein in full.

AND FURTHER ORDERED that in accordance with the provisions of the General Laws, Chapter 79, Section 6, as amended, awards are by the BOSTON REDEVELOPMENT AUTHORITY for damages sustained by the owner or owners and all other persons including all mortgagees of record having any and all interest in each parcel of the areas described in "Annex B" and entitled to any damages by reason of the taking hereby made; the word, "Parcel" as herein used being construed to mean any contiguous tract of land in the same ownership, whether or not such tract consists of one or more platted lots or a fractional part thereof. the Boston Redevelopment Authority reserves the right to amend the award at any time prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor has become vested or for other good cause shown. The award hereby made is set forth in "Annex C" which Annex C is not to be recorded in the Registry of Deeds with this Order of Taking.

AND FURTHER ORDERED that the Secretary of the Boston Redevelopment Authority cause this instrument of Taking to be recorded in the office of the Suffolk County Registry of Deeds and the Land Registration Section in Boston, Massachusetts.

IN WITNESS WHEREOF, we, the following members of the

Boston Redevelopment Authority have caused the corporate seal
of the Authority to be hereto affixed and these presents to be
signed in the name and behalf of the Boston Redevelopment Authority.

DATED: MAR 28 1968

BOSTON REDEVELOPMENT AUTHORITY

BY:

J. H. J.
James G. Collier
Melvin J. Massucco
George J. Cudde

ATTEST:

Kenneth J. Quinn
Secretary of the Boston Redevelopment
Authority

ANNEX A

FENWAY URBAN RENEWAL PROJECT AREA

PROJECT AREA DESCRIPTION

The Fenway Urban Renewal Project Area is bounded and described as follows:

Beginning at the intersection of the extended westerly sideline of Charlesgate West and southerly sideline of Newbury Street;

thence turning and running easterly along the southerly sideline of Newbury Street and Newbury Street extended to the southwesterly sideline of Massachusetts Avenue;

thence turning and running northwesterly along the southwesterly sideline of Massachusetts Avenue to the northwesterly sideline of Newbury street;

thence turning and running northeasterly along the northwesterly sideline of Newbury Street to the northeasterly sideline of Hereford Street;

thence turning and running southeasterly along the northeasterly sideline of Hereford Street and across Boylston Street to the southeasterly sideline of Boylston Street;

thence turning and running southwesterly along the southeasterly sideline of Boylston Street to the northeasterly sideline of Dalton Street;

thence turning and running southeasterly along the northeasterly sideline of Dalton Street to the northeasterly sideline of Belvidere Street;

thence turning and running southeasterly (but more easterly than said last-mentioned direction) along the northeasterly sideline of Belvidere Street to the northwesterly sideline of Huntington Avenue;

thence turning and running northeasterly along the northwesterly sideline of Huntington Avenue to the extended northeasterly sideline of Harcourt Street;

thence turning and running southeasterly along the northeasterly sideline of Harcourt Street to the extended northwesterly sideline of St. Botolph Street;

thence turning and running southwesterly along the northwesterly sideline of St. Botolph Street to the northeasterly property line of the property identified on the Property Map as 39 St. Botolph Street;

thence turning and running northwesterly along the northeasterly and northerly property lines of said 39 St. Botolph Street to the southeasterly sideline of Public Alley 401;

thence turning and running southwesterly along the southeasterly sideline of Public Alleys 401, 402, and 403 to the northeasterly sideline of Cumberland Street;

thence turning and running southeasterly along the northeasterly sideline of Cumberland Street to the northwesterly sideline of St. Botolph Street;

thence turning and running southwesterly along the northwesterly sideline of St. Botolph Street to the southwesterly property line of the property identified on the Property Map as 145 St. Botolph Street (Charles C. Perkins School);

thence turning and running northwesterly along the southwesterly property line of said 145 St. Botolph Street (Charles C. Perkins School) to the southeasterly sideline of Public Alley 404;

thence turning and running southwesterly along the southeasterly sideline of Public Alley 404 to the northeasterly sideline of Public Alley 405;

thence turning and running southeasterly along the northeasterly sideline of Public Alley 405 extended to the midline of the right-of-way of the main line of the New York, New Haven & Hartford Railroad (said midline being the boundary of the South End Urban Renewal Project Area, No. Mass. R-56);

thence turning and running southwesterly along the midline of the New York, New Haven & Hartford Railroad right-of-way to the southwesterly sideline of Ruggles Street;

thence turning and running northwesterly along the southwesterly sideline of Ruggles Street to the southeasterly sideline of Annunciation Road;

thence turning and running southwesterly, southeasterly, southwesterly and northwesterly along the southeasterly, northeasterly, southeasterly and southwesterly sidelines, respectively, of Annunciation Road to the southeasterly sideline of Parker Street;

thence turning southwesterly along the southeasterly sideline of Parker Street to the extended southwesterly sideline of Ward Street;

thence turning and running northwesterly along the southwesterly sideline of Ward Street to the southeasterly sideline of St. Alphonsus Street;

thence turning and running southwesterly along the southeasterly side of St. Alphonsus Street to the southwesterly sideline of McGreevey Way;

thence turning and running northwesterly along the southwesterly side of McGreevey Way and thence of Longwood Avenue to the southeasterly sideline of Huntington Avenue;

thence turning and running southwesterly along the southeasterly sideline of Huntington Avenue to the extended northeasterly sideline of Francis Street;

ANNEX B

FENWAY URBAN RENEWAL PROJECT AREA

thence turning and running northwesterly along the northeasterly sideline of Francis Street to the southeasterly sideline of Netherlands Road;

thence turning and running southwesterly along the southeasterly sideline of Netherlands Road to the corporate limits of the City of Boston;

thence turning and running generally northeasterly along the corporate limits of the City of Boston to the southeasterly sideline of the Massachusetts Bay Transportation Authority right-of-way;

thence turning and running northeasterly along the southeasterly sideline of Massachusetts Bay Transportation right-of-way to the northeasterly sideline of Park Drive;

thence turning and running southeasterly, northeasterly and northerly along the northeasterly, northwesterly and westerly sidelines, respectively, of Park Drive to the extended northeasterly sideline of Ipswich Street;

thence turning and running northwesterly along the extended northeasterly sideline of Ipswich Street to the northwesterly sideline of Boylston Street to the extended westerly sideline of Charlesgate West;

thence turning and running northerly along the extended westerly sideline of Charlesgate West to the point of beginning.

ANNEX B

FENWAY URBAN RENEWAL PROJECT AREA

TAKING AREA DESCRIPTION

The following parcel of land is the only parcel taken by
this Order of Taking:

<u>Plan</u>	<u>Address</u>	<u>Parcel Number</u>
Sheet A-14-A (plan recorded herewith)	5, 7, 9, 11 Haviland St.	S6BN-13

SUPPOSED OWNER

The supposed owner of the parcel of land hereby taken is
ESSEX OF BOSTON, INC., a Massachusetts Corporation.

The name of the owner herein listed as supposed owner, although
supposed to be correct, is such only as matter of information opinion
and belief and is listed for informational purposes only.

END

ANNEX C

BOSTON REDEVELOPMENT AUTHORITY
FENWAY URBAN RENEWAL PROJECT AREA

AWARD OF DAMAGES

The award for Order of Taking dated

is as follows:

<u>PARCEL</u>	<u>STREET ADDRESS</u>	<u>AWARD OF DAMAGES</u>
S6BN-13	5, 7, 9, 11 Haviland St.	\$ 151,000

1943

U. S. DEPARTMENT OF AGRICULTURE

WASHINGTON, D. C.

REPORT

ANNUAL REPORT

DEPARTMENT OF AGRICULTURE

FOR THE YEAR 1943

OF THE

DEPARTMENT OF AGRICULTURE

UNITED STATES GOVERNMENT PRINTING OFFICE

WASHINGTON, D. C.

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